

Statement of Rep. Jerrold Nadler On Assuming the Chair of the Subcommittee on the Constitution, Civil Rights and Civil Liberties

Tuesday, 23 January 2007

Mr. Chairman, I want to join our colleagues in congratulating you on assuming the gavel of this committee. It follows decades of distinguished service as a member of the Judiciary Committee, including the last twelve years as our Ranking Member.

I am honored to be afforded the opportunity to serve as Chair of the newly renamed Subcommittee on the Constitution, Civil Rights and Civil Liberties. I think, like many of us, one of the main reasons I came to Congress, indeed one of the reasons I entered public service, was the importance I have always placed on the protection of individual rights.

In 1995, our Republican colleagues, upon assuming control of this committee, changed the name of the "Subcommittee on Civil and Constitutional Rights" to the "Subcommittee on the Constitution."

I have long promised that, were I ever in a position to do so, I would put the words "civil" and "rights" back in the name of this subcommittee. Today, the Judiciary Committee does just that.

Now, more than ever, it is vitally important that we give meaning to these words through action. Civil rights and civil liberties are under assault in this nation. We are at a pivotal moment in our history and we have to decide as a nation whether we are willing to fight for the rights enshrined in our Bill of Rights.

The current Administration has claimed the power to spy on all Americans, to snatch people off the street and send them to be tortured in a foreign land, to declare anyone an "enemy combatant" and lock them away forever, without any judicial process or review.

We fought a revolution against King George, because he "deprived" us, in many Cases, of the Benefits of Trial by Jury. This President has gone one step further than King George by dispensing with the right to trial, jury or no jury.

The Administration tells us that people who insist on the rule of law and the protection of individual rights are helping terrorists. They should heed the wisdom of Benjamin Franklin, who observed that "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."

This nation has long stood for the proposition that we cannot be safe without also being free — until now.

We must, and will, restore the normal constitutional role of Congress: to conduct vigorous oversight, to get at the truth so that the American people can judge for themselves whether they are being well served by current policies.

There are other areas that will need the attention of the subcommittee.

We will begin with the consideration of amendments to the Lobby Disclosure Act that will address the ethics crisis that has gripped and sullied our government. This is part of the Democrats' pledge to continue the ethics reform agenda.

We will also look at the current state of the right to vote, the foundation of our democracy, which has been shaken by doubts as to its security and fairness.

The people of our nation's capitol remain disenfranchised. This is a scandal and unworthy of a nation that promotes democracy around the world. The people of the District of Columbia have a right to a vote in Congress, and we will do whatever is necessary to vindicate that right.

We will also continue the effort to provide for the continuity of our government and democratic institutions in the case of a catastrophic attack or other national emergency.

Most importantly, we will take a close look at this Administration's disregard for the Constitution and the rule of law. Secret, warrantless spying, the erosion of the Great Writ of habeas corpus, the claim that a person can be thrown into prison simply on the say-so of some official and the contempt for the actions of the coordinate branches of government: the Congress and the courts, merit close scrutiny, and congressional action.

We have our work cut out for us. I hope we can do our duty in a spirit of cooperation with our colleagues on the other side of the aisle and the Administration, but we will do our constitutional duty.

Today, we restore the name of the Subcommittee. Over the coming months, we will work to ensure that our rights and liberties are preserved, not just in words, but in fact.

Thank you, Mr. Chairman.

###